

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MEI-FANG LISA ZHANG, et al.,

Plaintiffs,

v.

WEI-MAN RAYMOND TSE, et al.,

Defendants.

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No. C 07-04946 JSW

**ORDER DENYING AS MOOT  
MOTION FOR DISCOVERY  
(Docket No. 186) AND  
CONTINUING HEARING ON  
MOTION TO VACATE DEFAULT  
JUDGMENT (Docket No. 181)**

This matter comes before the Court upon consideration of Plaintiffs' Motion for Leave to Conduct Discovery on Issues Pertaining to Notice, which is scheduled for a hearing on May 25, 2012. The Court has received Defendants' response, in which Defendants indicate that the parties have agreed on certain procedures regarding discovery on the issue of notice. Therefore, the Court DENIES the motion for leave to conduct discovery as moot.

However, the Court does not intend to conduct an evidentiary hearing on the motion to vacate default judgment, and it shall not hear testimony from any individual on that motion. In light of this fact, and in light of the parties' agreements on depositions, the Court concludes that it would be appropriate to continue the hearing on the motion to vacate, so that the parties may complete the discovery contemplated by their agreement before that hearing. Therefore, the Court CONTINUES the hearing on the motion to vacate the default judgment to June 22, 2012, at 9:00 a.m. If Defendant, or his counsel, wishes to appear by phone at that hearing, they may submit a request to the Court, which shall be granted.

1 The parties SHALL conduct the depositions as scheduled on May 25, 2012, unless they  
2 can mutually agree upon an alternative date that will permit them to comply with the briefing  
3 schedule contemplated by this Order. If Plaintiffs wish to file a supplemental opposition brief  
4 to the motion to vacate default judgment that addresses any evidence obtained during discovery,  
5 they shall do so on or before June 1, 2012. Defendant may file a reply brief by no later than  
6 June 8, 2012. If the Court finds the motion to vacate default judgment suitable for disposition  
7 without oral argument, it shall notify the parties in advance of the hearing date.

8 **IT IS SO ORDERED.**

9 Dated: April 26, 2012

  
10 JEFFREY S. WHITE  
11 UNITED STATES DISTRICT JUDGE  
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